

Exhibit 3

From: [Guarnera, Daniel S.](#)
To: ["Miller, Britt M."](#)
Cc: [Provance, Matthew D.](#); [Ryan, Mark](#); [Nemelka, Michael N.](#); [Dorris, Daniel V.](#); [Ho, Derek T.](#); [Hafenbrack, Joshua](#)
Subject: RE: Request for stipulation on direct filing of new complaint
Date: Wednesday, April 04, 2018 10:33:47 PM
Attachments: [2023209_4 Motion re Direct Filing of the Autoloop Complaint.docx](#)
[2019266_6 Proposed Order re Direct Filing of the Autoloop complaint.docx](#)

Hi Britt.

I have attached a draft proposed order and motion allowing AutoLoop to file its complaint directly in the MDL court. The substance of these documents is materially identical to the proposed stipulation we sent before. Please let us know if we can say – as reflected in the drafts – that CDK does not oppose the motion.

We are available to discuss the motions if that would be helpful. Given that these documents are substantively identical to the one you've already reviewed, we would appreciate a response by 10 am CT. If that is not possible, please let us know when we can expect CDK's response. Thank you.

All the best,
Dan

From: Miller, Britt M. [mailto:BMiller@mayerbrown.com]
Sent: Wednesday, April 04, 2018 5:26 PM
To: Guarnera, Daniel S. <dguarnera@kelloggghansen.com>
Cc: Provance, Matthew D. <MProvance@mayerbrown.com>; Ryan, Mark <MRyan@mayerbrown.com>; Nemelka, Michael N. <mnemelka@kelloggghansen.com>; Dorris, Daniel V. <ddorris@kelloggghansen.com>; Ho, Derek T. <dho@kelloggghansen.com>; Hafenbrack, Joshua <jhafenbrack@kelloggghansen.com>
Subject: RE: Request for stipulation on direct filing of new complaint

Dan –

Setting aside the fact that your request comes two days before we are scheduled to appear before the Court and demands a response in less than 7 hours, CDK is not inclined to join the stipulation you propose. From what we've been able to discern, AutoLoop has little to no connection to the W.D. Wisconsin, which raises the obvious question of why it would seek to file in that District.

In any event, we are mindful of the Court's preference and thus, if you were to move the Court for the relief requested in your stipulation, you could represent that although CDK does not consent and reserves all of its rights (including as to venue), it will not oppose the motion. If you opt to go this route, we would appreciate receiving a draft of the proposed motion in advance so that we can ensure that our position is properly represented.

Regards - Britt

Britt M. Miller
MAYER BROWN LLP
71 South Wacker Drive
Chicago, Illinois 60606-4637
Direct Dial: (312) 701-8663
Direct Fax: (312) 706-8763
e-mail: bmiller@mayerbrown.com

From: Guarnera, Daniel S. [<mailto:dguarnera@kelloggghansen.com>]
Sent: Wednesday, April 04, 2018 11:11 AM
To: Miller, Britt M.
Cc: Provance, Matthew D.; Ryan, Mark; Nemelka, Michael N.; Dorris, Daniel V.; Ho, Derek T.; Hafenbrack, Joshua
Subject: Request for stipulation on direct filing of new complaint

Britt,

As we told Judge St. Eve at the last status conference, we will be filing a complaint on behalf of an additional vendor before this Friday's conference. The new vendor is AutoLoop.

We write to request CDK's consent to the attached stipulation and order. At the last status conference, Judge St. Eve requested that all related actions be filed directly in the Northern District of Illinois. We seek to follow the Judge's instructions, while also preserving AutoLoop's right to select an appropriate venue for trial: the Western District of Wisconsin. It is not uncommon for MDL courts – including in the 7th Circuit – to enter orders providing that complaints filed in the MDL court will be deemed filed in another district court and transferred to that court after pretrial proceedings have concluded. The attached stipulation and order says that the parties consent to AutoLoop filing its complaint in Illinois but that the complaint will be deemed filed in Wisconsin. CDK would not waive its right to object to venue in Wisconsin.

Please let us know if you have any edits to the stipulation and order. If we're not able to reach agreement on a stipulation, we would file the complaint in the Western District of Wisconsin with a note to the court explaining that AutoLoop attempted to reach an agreement that would have allowed the complaint to be filed in the Northern District of Illinois, per the court's instructions.

We request a response to our proposed stipulation by 5 pm CT today (Wed.) to ensure that we have enough time to prepare to file in Wisconsin if needed. If 5 pm CT today is not feasible, please let us know. We are also available to discuss the stipulation by phone.

All the best,
Dan

Daniel S. Guarnera
KELLOGG, HANSEN, TODD, FIGEL & FREDERICK, P.L.L.C.
1615 M Street, N.W. | Suite 400 | Washington, DC 20036
Tel: 202-326-7923 | Fax: 202-326-7999

NOTICE: This transmission is intended only for the use of the addressee and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender immediately via reply e-mail, and then destroy all instances of this communication. Thank you.

This email and any files transmitted with it are intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager. If you are not the named addressee you should not disseminate, distribute or copy this e-mail.